

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
1273

In Re Application Of: **David Maniaci**

Serial No.  
10/649,691

Filing Date  
08/28/2003

Examiner  
Eugene Lhyman

Group Art Unit  
3727

Invention: **Cupholding Plate**



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **02/24/2006** finally rejecting Claim(s) **1-6**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

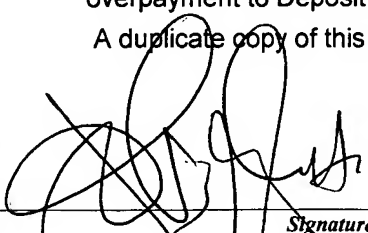
- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: **\$250.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **07-2380**  
A duplicate copy of this sheet is enclosed.

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Dated: **March 17, 2006**

  
Signature  
**John D. Gugliotta, PE, Esq.**  
Reg. No. **36,538**  
**Patent, Copyright & Trademark Law Group, LLC**  
**137 South Main St., Ste. 202**  
**Akron, OH 44308**  
**330-253-5678**  
**330-253-6658 (facsimile)**

I certify that this document and fee is being deposited on **March 17, 2006** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

**Terry Lakos**

Typed or Printed Name of Person Mailing Correspondence

03/23/2006 HVUONG1 00000061 10649691

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CC: